

THE UNIVERSITY OF CONNECTICUT HEALTH CENTER
JOHN DEMPSEY HOSPITAL
ADMINISTRATIVE MANUAL

SECTION: MEDICAL LEGAL NUMBER: 07-014

SUBJECT: REFUSAL OF BLOOD AND/OR BLOOD PRODUCTS PAGE: 3 of 7

- B. The Nursing Administrative Manager should inform the Administrator-On Call and provide him/her with the relevant information, including the patient's age, medical condition, capacity for informed decision making, and whether or not the administration of blood and/or blood products is likely to become medically necessary. The Assistant Attorney General should be notified if the administration of blood and/or blood products is likely to become medically necessary.
- C. If, in the judgment of the physician, there is uncertainty concerning the patient's capacity to participate in the consent process, a psychiatric consultation should be considered.
- D. In extreme circumstances, when the rapid deterioration of the patient's condition requires an immediate decision regarding life-sustaining medical intervention, the physician should make certain that the medical record reflects the reasonable basis on which his or her medical judgments and emergency interventions were based.
- E. The physician should discuss with the patient the anticipated benefits of treatment with blood and/or blood products and clearly disclose the risks of refusal, including the risk of death. Reasonable alternative treatments should be discussed and explored, including, in elective procedures, advance donation and utilization of the patient's own blood.
- F. The physician should document the above discussion in the medical record.
- G. In addition, the competent adult patient's decision to refuse blood and/or blood products should be evidenced in the medical record statement, signed by the patient (see sample form in the John Dempsey Hospital Administrative Manual).

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H. In any case involving a pregnant woman with a potentially viable fetus, the Assistant Attorney General as well as the administrator-on-call should be contacted immediately with information, documented in the medical record by the obstetrician, addressing:

1. fetal viability
2. expected consequences for the potentially viable fetus of maternal refusal to consent to the administration of blood and/or blood products prior to or during delivery
3. imminence of expected delivery
4. planned method of delivery

I. In general, an adult patient of sound mind has a right to make an informed refusal of medical treatment, including life-sustaining treatment. If the Assistant Attorney General has not identified potential legal issues that would justify pursuit of a court order, the physician may either:

1. comply with the competent adult patient's informed, documented refusal of blood and/or blood products and continue to provide care to which the patient does consent; or
2. attempt to facilitate transfer of care to another physician.

J. If a surgical or obstetric procedure is anticipated the Department of Anesthesiology should be apprised of the situation as soon as possible by the physician.

2. TREATMENT INVOLVING A MINOR OR AN INCOMPETENT ADULT:

A. The Nursing Administrative Manager should be notified immediately by the Admitting Office staff or by the Admitting unit staff of any minor patient or any legally incompetent adult patient for whom consent to treat with blood and/or blood products is withheld. **IN AN EMERGENCY SITUATION, LIFE-SUSTAINING BLOOD AND/OR BLOOD PRODUCTS MAY BE ADMINISTERED TO A MINOR OR OTHER LEGAL INCOMPETENT WITHOUT EXPLICIT CONSENT. Document record.**

